

REMARKS

In this supplemental reply, the Applicant seeks to include new claims 75-81. To the extent needed, the arguments previously presented in the Reply to Paper No. 37 are incorporated herein by reference.

In some embodiments of the present invention, an annular resilient element is foldable along its diametric axis. As a result, the element takes on a “C” shape as its overall configuration, which is especially apparent when viewed in cross section. When positioned within a blood vessel, an arcuate portion of the C-shaped element is engaged with the blood vessel. In some embodiments, the element has an unfolded diameter that is larger than the blood vessel in which it is situated. Thus, when positioned in the blood vessel the folded element does not completely expand to its unfolded configuration. This may facilitate placement of the prosthesis in irregular portions of a blood vessel.

The prior art is not believed to disclose the annular resilient element as claimed in new claim 75. For example, as shown in Figure 31 of Inoue 5,290,305, the rings 10 are circular when positioned in the blood vessel. Furthermore, the end rings 10 have a diameter that is in accordance with that of the artificial blood vessel 7. 5:58-62. As the artificial blood vessel is expanded completely within the blood vessel 9, there is no suggestion that the rings 10 do not “expand completely” as well. 9:22-26.

Furthermore, neither Lazarus (WO 89/08433) nor Robinson (5,733,325) is believed to disclose the claimed structure. For example, the staple of Lazarus has a plurality of “V” shaped support members 60, with a minimum of three “V”s. Page 8, lines 25-36. Likewise, Robinson’s segments 33 and 35 each have a series of zigzag bends 37. 6:30-35. Thus, neither reference discloses an annular resilient element that is folded along its diametric axis into an overall “C” shape. Accordingly, new claim 75 and claims dependent thereon are believed to be patentable.

The prior art is also not believed to disclose the prosthesis of new claim 81. For example, with respect to U.S. Patent 5,617,878, the graft 33 contacts a portion of the aorta that is located past the branch blood vessel. *See*, Figure 12. Further, the graft of the ‘878 patent has an opening 38 and stent 17. Delivery of the graft 33 in the ‘878 patent is complicated in that

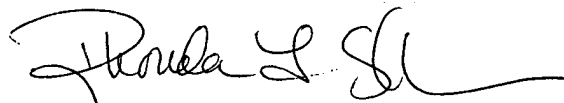
the stent 17 is maneuvered through the opening 38 in the graft 33 so that the graft engages the branch blood vessel and the top of the aorta.

In contrast, in some embodiments of the present invention, the positioning of the annular element of the prosthesis permits a portion of the graft to extend past an intersection of two blood vessels without occluding the intersection. *See*, Figure 4. As a result, a hole does not have to be formed in the graft to allow communication at the intersection of two blood vessels. Thus, the prosthesis of some embodiments of the present invention is simpler than the graft of the '878 patent in both the configuration and delivery.

In accordance with the amendments and remarks herein, the application is believed to be in condition for allowance. The Examiner's furtherance toward this end is kindly requested. The Commissioner is authorized to charge any additional fees, or credit any overpayment to Deposit Account No. 20-1504 (VAS.0002US)

Respectfully submitted,

Date: June 14, 2004



Rhonda L. Sheldon, Reg. No. 50,457
TROP, PRUNER & HU, P.C.
8554 Katy Freeway, Suite 100
Houston, Texas 77024
(713) 468-8880 [Phone]
(713) 468-8883 [Fax]